

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32020 of 2016

Arising Out of PS.Case No. -16 Year- 2016 Thana -MAHILA PS District- AURANGABAD

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1. Fekan Ram S/o Late Mohan Ram.
2. Ramni Devi, W/o Fekan Ram
3. Bishunpat Ram S/o Fekan Ram All R/o village- Rajpur, P.S- Mufassil, District- Aurangabad (Bihar).

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 01-08-2016 Heard learned counsel for the parties.

The petitioners being the parents and brother of the husband of the informant are apprehending their arrest in a case registered for the offences punishable under section 498A, 494, 307, 120B of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture after ten years of the marriage and threatening to perform second marriage. Earlier the issue was reconciled but thereafter again torture was inflicted. The husband tried to kill the informant.

It is submitted by the learned counsel for the petitioner that the accusation is general and omnibus against the entire in-laws family including the petitioners. Moreover, the thrust of

accusation is against the husband of the informant.

Considering the fact that the thrust of accusation is against the husband of the informant, let the abovenamed petitioners be released on anticipatory bail, in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub-divisional Judicial Magistrate, Aurangabad in Mahila P.S. Case No. 16/2016, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The bail bonds of the petitioners shall be accepted by the learned court below on filing of affidavit to the effect that she will not interfere into the conjugal life of the informant and allow the informant to enjoy her share of property in matrimonial house. It is expected that the learned court below shall get the said affidavit transmitted to the concerned police station.

(Dinesh Kumar Singh, J)

Surendra/-

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